

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PETERSEN ENERGÍA INVERSORA, S.A.U. and  
PETERSEN ENERGÍA, S.A.U.,

Plaintiffs,

Case No. 15 Civ. 2739 (TPG)

-against-

**NOTICE OF MOTION**

ARGENTINE REPUBLIC and YPF S.A.,

Defendants.  
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PLEASE TAKE NOTICE that, upon the accompanying declaration of Ismael Mata dated September 4, 2015, the declaration of Carlos Gustavo Pistarini dated August 28, 2015, the Declaration of Javier Errecondo dated September 7, 2015, the declaration of Martin Domb dated September 8, 2015, the supporting memorandum of law of defendant the Republic of Argentina (sued herein as Argentine Republic) (the “Republic”) dated September 8, 2015, and all prior proceedings in this action, the Republic will move this Court before the Honorable Thomas P. Griesa, Courtroom 26B, 500 Pearl Street, New York, NY 10007, in accordance with the schedule established by the Court in its orders dated July 31, 2015 (Dkt. 10) and August 6, 2015 (Dkt. 19):

1. for an order dismissing the claims against the Republic:

(a) pursuant to Fed. R. Civ. P. 12(b)(1) and the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1602 to 1611 (“FSIA”), for lack of subject-matter jurisdiction, and accordingly, pursuant to Fed. R. Civ. P. 12(b)(2) and the FSIA, for lack of personal jurisdiction;

(b) under the act of state doctrine;

(c) on the ground that the prosecution of such claims violates New York’s champerty statute, N.Y. Judiciary Law § 489;

(d) under the doctrine of *forum non conveniens*; and

(e) pursuant to Fed. R. Civ. P. 12(b)(6), on the ground that, based on the complaint's allegations, plaintiffs' alleged damages were not caused by the alleged wrongful conduct by the Republic; and

2. for such other or further relief as the Court deems just and proper.

Dated: September 8, 2015

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*s/ Martin Domb*

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